

Remarks

Claims 7-12 and 16 were previously pending in the subject application. Claims 17-34 were added in the Amendment submitted December 13, 2004. Accordingly, claims 7-12 and 16-34 are currently before the Examiner for consideration. Favorable consideration of the pending claims is respectfully requested.

The applicant and the applicant's representative wish to thank Examiner Marvich for the courtesy of the telephonic interview conducted with the undersigned on April 11, 2005 regarding claim 16 and the rejection under 35 U.S.C. §112, first paragraph, for lack of written description. The remarks and amendments set forth herein are consistent with the substance of the interview and are believed to address the outstanding issues as discussed during the interview. The remarks set forth in the applicant's Amendment submitted on December 13, 2004 are incorporated herein by reference in their entirety. During the telephonic interview, Examiner Marvich indicated that it was not necessary for the applicant to resubmit the Amendment in order to comply with the Notice of Non-Responsive Amendment.

Claims 1-5, 8-12, and 16 have been rejected under 35 U.S.C. §112, first paragraph, as lacking sufficient written description. The applicant respectfully submits that the subject specification provides a sufficient written description of the subject matter of claims 1-5, 8-12, and 16.

At page 3, the Office Action dated August 11, 2004 indicates that the claims recite a broad genus of oncogenic signaling pathways that are inhibited by RhoB. During the telephonic Examiner interview, the Examiner clarified that this aspect of the rejection was intended specifically for claim 16, due to the recitation of a "therapy that selectively inhibits Ras oncogenic signaling", as indicated in the Notice of Non-Responsive Amendment. As discussed during the telephonic interview, the recitation in claim 16 refers to an "additional therapy" that is administered to the cell, *i.e.*, in addition to RhoB protein. Thus, the *Ras* oncogenic signaling inhibitor is recited as an adjunctive therapy. Submitted herewith for the Examiner's consideration are the Reuter *et al.* (*Blood*, 2000, 96(5):1655-1669) and Adjei (*Current Pharmaceutical Design*, 2001, 7:1581-1594) publications, which show that therapies for selectively inhibiting *Ras* oncogenic signaling were well known in the art at the time the subject application was filed. These review papers describe various agents that selectively

JAU\$1AT144X\Amend-Resp\Supp\Resp1.doc\DNB\mv

inhibit *Ras* oncogenic signaling, including several agents in clinical trials. One of ordinary skill in the art would immediately envision therapies encompassed by the recited genus of *Ras* oncogenic signaling inhibitors and their identifying characteristics.

At page 5, the Office Action states "while applicants recite that Erk1 phosphorylation is inhibited, it is difficult to discern this from the disclosure (see Figure 3 and page 16, line 15-23)". As discussed during the telephonic interview, the applicant submits that the Examiner appears to be misinterpreting the figure. The Examiner's attention is respectfully directed to the immunoblot for phosphorylated Erk1 (p-Erk1) and phosphorylated Erk2 (p-Erk2), where inhibition by RhoB (wild-type and mutant) is quite apparent. In the Office Action, the Examiner seems to be referring to the last immunoblot on the page, which merely shows that RhoB did not affect Erk 2 expression levels. A description of Figure 3 and the results shown therein are provided at page 5, lines 10-14, and page 16, lines 15-23, of the specification, respectively. The data presented in the subject specification makes it clear that RhoB inhibits two signaling pathways (Akt and Erk1/Erk) that are involved in tumor cell survival and transformation and exhibits tumor suppressor activity.

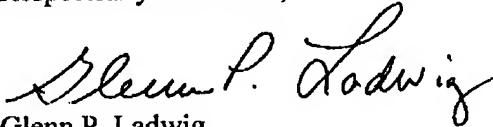
The applicant respectfully submits that one of ordinary skill in the art would conclude that the inventor was in possession of the claimed subject matter at the time the application was filed. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested.

In view of the foregoing remarks and amendments to the claims, the applicant believes that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

The applicant invites the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



Glenn P. Ladwig
Patent Attorney
Registration No. 46,853
Phone No.: 352-375-8100
Fax No.: 352-372-5800
Address: Saliwanchik, Lloyd & Saliwanchik
A Professional Association
P.O. Box 142950
Gainesville, FL 32614-2950

GPL/mv

Attachments: Reuter *et al.* (*Blood*, 2000, 96(5):1655-1669)
Adjci (*Current Pharmaceutical Design*, 2001, 7:1581-1594)

J:\USPTO\T144X\Amend-Resp\SuppResp1.doc\DNB\mv